

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

MASSACHUSETTS MUTUAL LIFE INSURANCE  
COMPANY,

Plaintiff,

-against-

GOPAL AGRAWAL,

Defendant.

Civil Action No.: 05-CV-2768  
(CBA) (SMG)

**STIPULATION AND ORDER  
DISMISSING ACTION WITH  
PREJUDICE**

**FILED**

IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

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OCT 19 2005

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P.M. \_\_\_\_\_  
TIME A.M. \_\_\_\_\_

**S I R S:**

It is hereby stipulated and agreed to among the counsel for the parties to the above action that plaintiff's Complaint is hereby dismissed with prejudice, said dismissal to be without costs to any party.

Dated: Uniondale, New York  
September 15, 2005

**RIVKIN RADLER LLP**

BY: \_\_\_\_\_

*Norman Tolle*  
Norman L. Tolle (NLT5081)  
Attorney for ~~Defendant~~ Massachusetts  
Mutual Life Insurance Company  
926 EAB Plaza  
Uniondale, New York 11556-0926

**TRIEF & OLK**

BY: \_\_\_\_\_

*Ted Trief*  
Ted Trief, Esq.  
Trief & Olk  
150 East 58<sup>th</sup> Street  
New York, NY 10155

**SO ORDERED**

*10/18/05* *HON. CAROL B. AMON*

Carol Amon  
United States District Judge

*gm*